

Docket No. 49927 (71526)

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Seya, et al.

SERIAL NO.:

09/601,371

EXAMINER: P. M. Mertz

FILED:

December 5, 2000

**GROUP**:

1646

FOR:

CYTOKINE INDUCERS COMPRISING M161Ag

RESPONSE UNDER 37 C.F.R. 1.116 **EXPEDITED PROCEDURE EXAMINING GROUP** 1646



Mail Stop: AE

**Commissioner for Patents** P.O. Box 1450 Alexandria, VA 22313-1450

### AMENDMENT OR RESPONSE AFTER FINAL REJECTION—TRANSMITTAL

1. Transmitted herewith is an amendment after final rejection (37 C.F.R. §1.116) for this application.

### **STATUS**

2.	Applicant is [ ] a small entity. [X] other than a small entity.	
	CERTIFICATE OF MAILING/	TRANSMISSION (37 C.F.R. 1.8(a))
I hereb	y certify that, on the date shown below, this corresponde	nce is being:
	MAILING	FACSIMILE
[X]	deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313.	[ ] transmitted by facsimile to the Patent and Trademark Office.
		Jusan m Oillon
Data	14 2003	Signature
Date: _	August 14, 2003	Susan M. Dillon (type or print name of person certifying)

(Amendment Transmittal—page 1 of 4)

### **EXTENSION OF TERM**

NOTE: "Extension of Time in Patent Cases (Supplement Amendments) — If a timely and complete response has been filed after a Non-Final Office Action, an extension of time is not required to permit filing and or entry of an additional amendment after expiration of the shortened statutory period.

If a timely response has been filed after a Final Office Action, an extension of time is required to permit filing and/or entry of a Notice of Appeal or filing and/or entry of an additional amendment after expiration of the shortened statutory period unless the timely-filed response placed the application in condition for allowance. Of course, if a Notice of Appeal has been filed within the shortened statutory period, the period has ceased to run." Notice of December 10, 1985 (1061 O.G. 34-35).

NOTE: See 3" C.F.R. 1.645 for extensions of time in interference proceedings, and 3" C.F.R. 1.550(c) for extensions of time in reexamination proceedings.

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply.

(complete (a) or (b), as applicable)

(a) [X] Applicant petitions for an extension of time under 37 C.F.R. 1.136 (fees: 37 C.F.R. 1.17(a)(1)-(4)) for the total number of months checked below:

	Extension	Fee for other than	Fee for
	(months)	small entity	small entity
[X]	one month	\$110.00	\$55.00
[]	two months	\$410.00	\$205.00
[]	three months	\$930.00	\$465.00
[]	four months	\$1,450.00	\$725.00
[]	five months	\$1,970.00	\$985.00

Fee: \$ \_\_110.00\_\_\_

If an additional extension of time is required, please consider this a petition therefor.

(check and complete the next item, if applicable)

[]	\$	An extension for months has already been secured. The fee paid therefor of \$ is deducted from the total fee due for the total months of extension now requested.						
		Extension fee due with this request \$						
		OR						
(b)	[]	Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.						

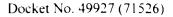
## **FEE FOR CLAIMS**

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

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WARNI	ING:					nendments may be '' 37 C.F.R. 1.116				g with any
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	(c)	[X]	No ac	dditional fee		s is required.				
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6.	[X]	If any	additio	nal extension	and/or fee	e is required, cl	harge Acco	ount N	o. <u>     04-110</u>	5

# AND/OR

[X] If any additional fee for	I fee for claims is required, charge Account No04-1105.			
	SIGNATURE OF PRACTITIONER			
Reg. No. 38,256	Christine C. O'Day  (type or print name of practitioner)			
Tel. No. (617) 439-4444	EDWARDS & ANGELL, LLP P.O. Box 9169 P.O. Address			
Customer No. 21874	Boston, Massachusetts 02209			





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Mail Stop: AF Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

# TECH CENTER 1800/2900 AMENDMENT AFTER FINAL REJECTION UNDER 37 CFR §1.116

Applicants are in receipt of the Office Action dated April 18, 2003. Kindly amend the above-identified application as follows:

Amendments to the claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks begin on page 3 of this paper.